

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

PETER JASON HELFRICH,

Case No.: 2:20-cv-01319-APG-EJY

Plaintiff

Order Accepting Report and Recommendation and Dismissing Case

V.

STATE OF NEVADA,

Defendant

[ECF No. 11]

On October 5, 2021, Magistrate Judge Youchah recommended that I dismiss plaintiff Helfrich's initiating documents because he failed to pay the filing fee or complete an application to proceed *in forma pauperis* and because Helfrich has failed to update his address. No. 11. She further recommends dismissal be with prejudice because Helfrich's initiating document is frivolous and delusional. *Id.* at 2. Helfrich did not object. Thus, I am not obligated to conduct a de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to "make a de novo determination of those portions of the report or specified findings to which objection is made"); *United States v. Reyna-Tapia*, 328 F.3d 1114, 999 F.2d 1452, 1457 (9th Cir. 2003) (en banc) ("the district judge must review the magistrate judge's findings and recommendations de novo if objection is made, but not otherwise" (emphasis in original)).

Judge Youchah's report and recommendation was returned in the mail. ECF No. 12.

19 Under Local Rule IA 3-1, a pro se party must immediately advise the court of any change of
20 address. “Failure to comply with this rule may result in the dismissal of the action, entry of
21 default judgment, or other sanctions as deemed appropriate by the court.” LR IA 3-1. Helfrich
22 has not filed anything in this case since January 2021. ECF No. 10. It appears he has abandoned
23 this case.

1 I THEREFORE ORDER that Judge Youchah's report and recommendation (**ECF No.**
2 **11) is accepted.** Plaintiff Peter Helfrich's petition for removal (**ECF No. 1-1) is dismissed with**
3 **prejudice.** The clerk of court is instructed to enter judgment accordingly and to close this case.

4 DATED this 25th day of October, 2021.



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6 ANDREW P. GORDON
7 UNITED STATES DISTRICT JUDGE
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